

REMARKS/ARGUMENTS

Claims 1 to 22 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claims 1 to 17, 20 and 21 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention.

Claims 4 and 15 have been amended.

Reconsideration of the application is respectfully requested.

35 U.S.C. 112 Rejections

Claims 1 to 22 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Specifically the Office Action asserts it is unclear how the drive train can be placed in the free wheeling mode without knowing the maximum free-wheeling gear or speed, claiming the specification does not adequately disclose how the claimed maximum free-wheeling gear and the claimed maximum free-wheeling speed are determined or predetermined.

Applicant apologizes for any confusion, but it is respectfully submitted the present specification is clear. The maximum free-wheeling gear is a predetermined highest gear which does not vary after it is predetermined, see specification [0026], while the actual gear is the gear the transmission is in.

For example, if the maximum free-wheeling gear is, by design, the third gear in a five gear transmission, the vehicle can only enter a free-wheeling function when the transmission is in a gear equal to or less than third gear. In this example, when in first, second or third gear, the clutch can be disengaged to implement the free-wheeling function. However, in fourth and fifth gear the clutch cannot free-wheel because these gears are greater than the maximum free-wheeling gear. The same holds true for the maximum free-wheeling speed. When a vehicle speed exceeds the set maximum free-wheeling speed, for example 30 mph, the clutch is not permitted to free-wheel. However, if the vehicle is at a speed that is equal to or less than the maximum free-wheeling speed, for example 20 mph, the vehicle may be switched to implement the free-wheeling function.

It is respectfully submitted the present specification, read by one skilled in the art, is clear and enabling.

Withdrawal of the rejections to claims 1 to 22 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement is respectfully requested.

Claims 1 to 17, 20 and 21 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention.

With respect to claim 1, the Office Action asserts it is unclear how the clutch is controlled based on the limitation “controlling the clutch so as to change from an engine braking mode to a free-wheeling mode.”

It is respectfully submitted that it is well known that a clutch can move from engine braking mode to the free-wheeling mode. A vehicle can be switched for example to a free-wheeling function for example when a clutch is disengaged as is known in the art, for example when a clutch pedal is depressed.

With respect to claim 3, the Office Action asserts it is unclear the difference between the currently engaged transmission gear and the maximum free-wheeling gear.

It is respectfully submitted that with the explanation given above, the difference between the currently engaged transmission gear and the maximum free-wheeling gear is now clear.

With respect to claim 4, the Office Action asserts it is unclear whether the newly recited “a gas pedal” is different from the one which is first recited on Line 5 of claim 1.

Claim 4 has been amended to recite the gas pedal in claim 1.

With respect to claim 15, the Office Action asserts it is unclear whether the newly recited “a gas pedal” is different from the one which is first recited on line 5 of claim 1.

Claim 15 has been amended to recite the gas pedal recited in claim 1.

With respect to claim 20, the Office Action asserts it is unclear what the difference between the currently engaged transmission gear and the maximum free-wheeling gear.

It is respectfully submitted that with the explanation given above, the difference between the currently engaged transmission gear and the maximum free-wheeling gear is now clear.

With respect to claim 21, the Office action asserts it is unclear whether the claim is referring to the speed ratio of the current driving gear when compares to the speed ratio of the maximum free-wheeling gear or the speeds of the vehicle.

It is respectfully submitted that with the explanation given above, it is now clear when referring to the speed ratio of the current driving gear, the speed ratio of the maximum free-wheeling gear or the speed of the vehicle.

Withdrawal of the rejections to the independent claims 1, 20 and 21 under 35 U.S.C. 112, second paragraph, as being indefinite is respectfully requested. As claims 2 to 17 depend from one of claims 1, 20 and 21, withdrawal of the rejection of these claims is also respectfully requested.

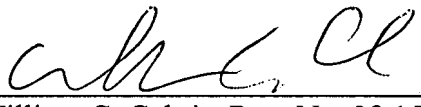
CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

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